

City Council  
Atlanta, Georgia

**06-0-1803**

AN ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-84**  
Date Filed: 7-11-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **4402-4418 Roswell Road, N.E.**, be changed from the R-3 (Single family Residential) and C-1 (Community Business) Districts to the C-1 (Community Business) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 95, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

C-11

7-06-84

## Legal Description

All that tract or parcel of land lying and being in Land Lot 95 of the 17<sup>th</sup> District of Fulton County, Georgia and being more particularly described as follows:

Beginning at a p.k. nail found at the intersection of the southerly right-of-way of Wieuca Road Extension (50' R/W) and the westerly right-of-way of Roswell Road (65' R/W); thence along said right-of-way of Roswell Road along a curve to the left an arc distance of 84.69 (being subtended by a chord distance of 84.69 feet, a bearing of South 20 degrees 10 minutes 30 seconds West and a 1,843.96 foot radius) to a p.k. nail found; thence continuing along said right-of-way along a curve to the left an arc distance of 201.56 (being subtended by a chord distance of 201.47 feet, a bearing of South 16 degrees 13 minutes 16 seconds West and a 1,975.24 foot radius) to a p.k. nail set; thence departing said right-of-way North 88 degrees 44 minutes 42 seconds West a distance of 242.63 to a 1 $\frac{3}{4}$  inch open top pipe found; thence North 85 degrees 42 minutes 09 seconds West a distance of 150.10 feet to a  $\frac{1}{2}$  inch rebar set; thence North 21 degrees 43 minutes 31 seconds East a distance of 210.81 feet to a  $\frac{1}{2}$  inch rebar set; thence South 86 degrees 50 minutes 50 seconds East a distance of 28.52 feet to a  $\frac{1}{2}$  inch rebar found; thence South 86 degrees 18 minutes 22 seconds East a distance of 80.07 feet to a  $\frac{1}{2}$  inch rebar found; thence North 09 degrees 24 minutes 44 seconds East a distance of 109.99 feet on said right-of-way of Wieuca Road Extension to a  $\frac{1}{2}$  inch rebar set; thence along said right-of-way of Wieuca Road Extension South 81 degrees 25 minutes 15 seconds East a distance of 276.44 feet and THE POINT OF BEGINNING. Said tract containing 2.33 acres as shown on survey prepared by Pearson & Associates, Inc., dated July 10, 2006.

